

TELETYPE

NOTE:

Read instructions on
reverse before using
this form

DATE MAY 15, 1961

TIME 3:00 PM

DICTATOR'S TEL. EXT. 6687 UI

E. HOMO S.F. 384

CHRISTENSEN L.A. 386

CC: KLAUS SOUTHERN AREA 387

TO

(NAME)

(CITY AND OFFICE NUMBER)

PHIL PROTO BY BROWN 40:3 iw

FROM

(TYPE MESSAGE IN CAPITAL LETTERS - DOUBLE SPACE)

TRADE DISPUTE #61-0356-A

EMPLOYER: ARTHUR J. LEWIS, JR. (FARMER)
1203 SHERIDAN WAY, STOCKTON, CALIF.

CECIL E. BRADFORD (LABOR CONTRACTOR)

SHADY REST TRAILER PARK

HIGHWAY 8, 4MILES WEST OF LINDEN, CALIF.

MAILING ADDRESS: P.O. BOX 451, LINDSAY, CALIF.

UNION DIRECTLY INVOLVED:

AFL-CIO AGRICULTURAL WORKERS ORGANIZING COMMITTEE

805 E. WEBER AVE., STOCKTON, CALIF.

T.D. BEGAN: 5-9-61 AT APPROX. 6:00 AM

ISSUE: UNION CONTRACT RELATIVE TO CHERRY PICKING

THE ORCHARD PROPERTY INVOLVED IN THIS LABOR DISPUTE CONSISTS OF 58 ACRES IN CHERRIES LOCATED IN THE LINDEN STOCKTON AREA.

ON MAY 8, 1961, AT ABOUT 10:00 A.M., FLOYD QUICK, AWOC, APPROACHED MR. ARTHUR LEWIS, EMPLOYER, ON THE FINE ROAD ORCHARD AND STATED HE WANTED TO DISCUSS A UNION CONTRACT. MR. LEWIS STATED HE DID NOT HAVE TIME. THIS WAS THE EXTENT OF THEIR CONVERSATION.

ON MAY 8, 1961 SOMETIME IN THE EVENING, MR. BRADFORD, LABOR CONTRACTOR, WAS TOLD BY SOME OF THE PICKERS THAT THE AWOC WAS PLANNING TO CALL A STRIKE AGAINST MR. LEWIS, EMPLOYER, AND THAT A PICKET LINE WOULD BE ESTABLISHED BEFORE THE PICKERS ENTERED THE ORCHARD THE FOLLOWING MORNING. ON MAY 9, 1961 AT APPROXIMATELY 6:00 A.M. GENE P.

JOHNSON, AWOC, ESTABLISHED A PICKET LINE ALONG THE LAGORIO ROAD ENTRANCE TO THE ORCHARD LOCATED ON LAGORIO ROAD AND LEONARDINI ROAD. GENE P. JOHNSON, AWOC, ALSO ESTABLISHED A PICKET LINE ALONG FINE ROAD AT THE ENTRANCE TO THE H. L. METZLER ORCHARD.

ON MAY 9, 1961, NO PICKERS WERE SENT TO THE METZLER ORCHARD.

ON MAY 9, 1961, MR. BRADFORD, LABOR CONTRACTOR, WITH 20 WORKERS ARRIVED AT THE LAGORIO ROAD ORCHARD SHORTLY AFTER 6:00 A.M. THEY FOUND A PICKET LINE CONSISTING OF 5 PICKETS ESTABLISHED ALONG THE LAGORIO ROAD ENTRANCE TO THE CHERRY ORCHARD. MR. BRADFORD, LABOR CONTRACTOR, AND 12 OF THE PICKERS CROSSED THE PICKET LINE INTO THE ORCHARD AND STARTED TO PICK CHERRIES. 8 OF THE PICKERS REFUSED TO CROSS THE PICKET LINE. ON MAY

10, 1961 MR. BRADFORD, LABOR CONTRACTOR AND 40 PICKERS ARRIVED AT THE LAGORIO ROAD ORCHARD CROSSED THE PICKET LINE AND STARTED PICKING. FOUR OF THESE PICKETS WERE AMONG THE 8 WHO REFUSED TO CROSS THE PICKET LINE ON THE PREVIOUS DAY. ON MAY 10, 1961 THERE WERE

5 PICKETS AND A GROUP OF MEN AND WOMEN GATHERED ALONG THE ROAD ATTEMPTING TO DISSUADE THE PICKERS FROM ENTERING THE ORCHARD. THIS STARTED AT ABOUT 6:00 A.M. AND CONTINUED UNTIL A COURT INJUNCTION WAS SERVED ON ONE OF THE PICKETS BY A SAN JOAQUIN COUNTY DEPUTY SHERIFF AT 10:45 A.M. LIMITING THE PICKET LINE TO 2 PICKETS. ALL PICKETS EXCEPT 2 LEFT THE LAGORIO ORCHARD.

ALL PICKETS WERE WITHDRAWN FROM THE FINE ROAD ORCHARD.

NO MEXICAN NATIONALS INVOLVED IN THIS ~~TEX~~ TRADE DISPUTE.

DETERMINATION:

1. FOR UNEMPLOYMENT INSURANCE AND REFERRAL PURPOSES A LABOR DISPUTE EXISTS BETWEEN THE AWOC AND ARTHUR J. LEWIS, JR. FARMER AND CECIL E. BRADFORD, LABOR CONTRACTOR. THIS DISPUTE RELATES TO THE HARVESTING OF CHERRIES ON TWO ORCHARDS. ONE ORCHARD IS LOCATED ON LAGORIO ROAD ABOUT 1/4 MILES NORTHEAST OF STOCKTON: THE OTHER ORCHARD IS KNOWN AS THE METZLER RANCH AND IS LOCATED ON FINE ROAD NEAR LINDEN, CALIF.
2. EFFECTIVE UPON RECEIPT OF THIS DETERMINATION REFERRALS ARE NOT TO BE MADE TO THE JOBS IN THESE TWO CHERRY ORCHARDS LEFT VACANT BECAUSE THE FORMER OCCUPANTS ARE ON STRIKE IN THE COURSE OF A LABOR DISPUTE WITHIN THE MEANING OF SECTION 602.2(B), (TITLE 20, CODE OF FEDERAL REGULATIONS).
3. THE WORKERS WHO WERE EMPLOYED IN THESE ORCHARDS IMMEDIATELY PRIOR TO THIS LABOR DISPUTE AND WHO FAILED TO RETURN TO THEIR WORK ON MAY 9, 1961 OR THEREAFTER BECAUSE OF THE PICKET LINE DID IN EFFECT MAKE THIS LABOR DISPUTE THEIR OWN AND ARE SUBJECT TO DISQUALIFICATION UNDER SECTION 1262 OF THE UNEMPLOYMENT INSURANCE CODE EFFECTIVE MAY 7, 1961.
4. OTHER WORKERS WHO HAD NOT BEEN EMPLOYED IN THESE ORCHARDS IMMEDIATELY PRIOR TO THIS LABOR DISPUTE AND WHO DID NOT REPORT FOR WORK ON 5-9-61 BECAUSE OF THE PICKET LINE ARE NOT SUBJECT TO DISQUALIFICATION UNDER SECTION 1262 OF THE CODE.

SPECIAL INSTRUCTIONS:

1. AREA TO RELEASE TO FIELD OFFICES.
2. THIS OFFICE HAS INFORMED UNION AND EMPLOYERS.

cc: Jack Long - Interior
A. Tieburg
Legal (4)
J. Bond
D. Larin
T. Hannah
C. Coile (2)
R & S